

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KARL MARTIN et al. v. LIBERTY MUTUAL INSURANCE COMPANY	CIVIL ACTION NO. 21-4360
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ORDER RE MOTION TO DISMISS AMENDED COMPLAINT

AND NOW, this 24th day of February, 2022, upon consideration of Plaintiffs' Amended Complaint (ECF 11), Defendant's Motion to Dismiss Plaintiffs' Amended Complaint (ECF 12), Plaintiffs' Response in Opposition (ECF 13), and Defendant's Reply (ECF 14), and for the reasons stated in the foregoing Memorandum, it is hereby **ORDERED** that Defendant's Motion to Dismiss is:

1. **DENIED** as to Plaintiffs' breach of contract claim (Count I); and
2. **GRANTED** as to Plaintiffs' unjust enrichment, Pennsylvania Unfair Insurance Practices Act, and Pennsylvania Unfair Trade Practices and Consumer Protection Act (Counts III – V). Counts III – V are **DISMISSED without prejudice**.

BY THE COURT:

/s/ **MICHAEL M. BAYLSON**

MICHAEL M. BAYLSON
United States District Judge